

Message Text

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43

ACTION EA-14

INFO OCT-01 ADP-00 CIAE-00 DODE-00 PM-09 H-02 INR-10 L-03

NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15 USIA-12

OMB-01 AID-20 IO-12 DPW-01 RSR-01 /116 W

----- 103992

R 041055 Z APR 73

FM AMEMBASSY SAIGON

TO SECSTATE WASHDC 9631

INFO USDEL JEC PARIS

C O N F I D E N T I A L SAIGON 5617

EO: 11652 GDS

TAGS: PINS VS

SUBJ: AMNESTY BILL

1. PRESIDENT THIEU SUBMITTED A BILL TO THE LOWER HOUSE MARCH 26 PROPOSING THAT HE BE GIVEN THE AUTHORITY TO GRANT AMNESTY TO PERSONS

" PROSECUTED FOR OR CONVICTED OF ANY CHARGES COMMITTED DURING THE PERIOD BEGINNING OCT 26, 1955, BY ORDINARY OR SPECIAL COURTS, EXCEPT FOR THOSE ELEMENTS INVOLVED IN DIRECT OR INDIRECT COMMUNIST ACTIVITIES". THE AUTHORITY TO GRANT AMNESTY WOULD LAST FOR ONE YEAR FROM THE DATE THE PROPOSED LAW IS PROMULGATED. AMNESTY MAY BE GRANTED BOTH TO PERSONS NOW SERVING SENTENCES AND TO PERSONS WHO HAVE ALREADY SERVED THEIR SENTENCES, WHOSE RECORDS ARE NOW CLOUDED BY THEIR PRIOR CONVICTIONS.

2. THE PREAMBLE OF THE BILL, CALLED THE " MOTIVE" IN OUR TRANSLATION, PRESENTS THE PRESIDENT' S CONCEPTION OF THE EFFECT OF THE BILL, SAYING " SINCE THE PRESENT AMNESTY BILL AIMS AT CREATING A NATIONAL UNION ATMOSPHERE, IT HAS A VERY WIDE SCOPE OF APPLICATION, ENCOMPASSING ALL KINDS OF OFFENSE, TRIED BY ANY COURT AND PROSECUTED BY ANY OFFICIAL. THE AMNESTY SHALL BE PROMULGATED BY A PRESIDENTIAL DECREE, UPON THE REQUESTS OF THE CONCERNED PERSONS." THE SPECIFIC PROCEDURES UNDER WHICH APPLICATIONS WOULD BE RECEIVED AND DECIDED UPON ARE TO BE SPECIFIED BY A PRIME MINISTERIAL DECREE FOLLOWING PROMULGATION OF THE PROPOSED LAW.

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3. COMMENT. WE EXPECT THAT THE PROPOSED BILL WILL PASS BOTH HOUSES UNCHANGED, THOUGH IT IS HARD TO PREDICT JUST WHEN IT WILL BE PROMULGATED. THOUGH THE PRESIDENT NOW HAS THE POWER TO AMNESTY CONVICTS WHICH HE HAS FREQUENTLY EXERCISED, ESPECIALLY AT THE TRADITIONAL TIMES OF NATIONAL DAY, CHRISTMAS, TET, AND, MOST RECENTLY, FARMER'S DAY, THIS REAFFIRMATION AND INSTITUTIONALIZATION OF THAT POWER INDICATES THAT THE GVN MAY WANT TO MOVE TOWARD A MORE FRIENDLY POSTURE TOWARD POSSIBLE "THIRD FORCE" COMPONENTS. IT IS ALSO POSSIBLE THAT THE GVN HOPES THE BILL WOULD HAVE FAVORABLE EFFECT ON US PUBLIC OPINION, WHICH HAS RECENTLY FOCUSED ON CIVILIAN DETAINEES. POSSIBLE BENEFICIARIES OF THE PROPOSED BILL ARE AN QUANG MEMBERS HELD SINCE THE 1966 STRUGGLE MOVEMENT, VARIOUS STUDENT LEADERS, AND MADAME NGO BA THANH AND THOSE OF HER GROUP NOW HELD BY THE GVN. END COMMENT.

4. TEXT OF PROPOSED BILL BEING SENT BY SEPTTEL.
WHITEHOUSE

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*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts:
Control Number: n/a
Copy: SINGLE
Draft Date: 04 APR 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: hilburpw
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973SAIGON05617
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: RR
Errors: n/a
Film Number: n/a
From: SAIGON
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730433/aaaahphf.tel
Line Count: 88
Locator: TEXT ON-LINE
Office: ACTION EA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: hilburpw
Review Comment: n/a
Review Content Flags:
Review Date: 15 AUG 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <15-Aug-2001 by shawdg>; APPROVED <23-Nov-2001 by hilburpw>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: <DBA CORRECTED> gwr 971125
Subject: AMNESTY BILL
TAGS: PINS, VS
To: EA
JEC PARIS
SECSTATE WASHDC
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005